

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

11/28/23

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

}

Case No. 3:23-mj-508

Priority Mail Express Package with Tracking Number
EI 908 404 005 US
Postmarked November 27, 2023

}

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Package, EI 908 404 005 US, addressed to Mr. White, 152 Brent Dr. W. Apt. F , Springfield, OH 45505, with a return address of Mr. Kelly, 1381 E. University Ave, Las Vegas, NV 89119.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the possible distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 USC 841(a)(1)
21 USC 846
21 USC 843(b)

Offense Description
Distribution and possession with intent to distribute a controlled substance.
Conspiracy to distribute/possess with intent to distribute a controlled substance
Use of a communication facility to commit a felony

The application is based on these facts:
SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sean C. Humphrey

Applicant's signature

Sean C. Humphrey, USPIS Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).

Date: November 28, 2023

City and state: Dayton, OH


Caroline H. Gentry
United States Magistrate Judge



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF:
PRIORITY MAIL EXPRESS PACKAGE
WITH TRACKING NUMBER
EI 908 404 005 US
POSTMARKED NOVEMBER 27,2023

3:23-mj-508

Case No. _____

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, **Sean C. Humphrey**, being first duly sworn, hereby depose and state as follows:

1. I, Detective Sean C. Humphrey, am employed by the Dayton Police Department and have been so since July of 2008. I have been assigned to Patrol Operations and am currently assigned to the Narcotics Bureau - Montgomery County Regional Agencies Narcotics and Gun Enforcement (RANGE) Task Force. I have extensive prior experience in investigating drug cases that resulted in successful prosecution of persons involved in trafficking of drugs, possession of drugs and other related offenses. I have been involved in narcotics related arrests, executed search warrants that resulted in the seizure of narcotics and participated in undercover narcotics purchases. Through training and experience, I am familiar with the manner in which persons involved in the illicit distribution and sales of controlled substances often operate. These subjects usually attempt to conceal their identities, as well as the locations at which they reside and where they store controlled substances and the illegal proceeds derived therefrom. Through training and experience, I am familiar with the practices of narcotics distributors and sellers, whereby they attempt to conceal the true nature, source and location of proceeds of illegal activity, commonly referred to as money laundering. I have been a Task Force Officer with the United States Postal Inspection Service since November 2022. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for Southern District of Ohio. Part of my responsibility involves investigating the illicit use of the United States Mails in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my prior training and experience as a Task Force Officer with the United States Postal Inspection Service, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations, law enforcement training, and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain common characteristics and/or circumstances that indicate that a particular package may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

3. On November 28, 2023, the U.S. Postal Inspection Service intercepted a package (hereinafter “the Package”) at the Dayton Processing and Distribution Center in Dayton, OH. The Package is a white Priority Flat rate box with USPS Priority Express tracking number EI 908 404 005 US mailed from Post Office 89119, located in Las Vegas, Nevada, postmarked November 27, 2023, with the following address information:

Sender: Mr. Kelly
1381 E. University Ave
Las Vegas NV 89119

Addressee: Mr. White
Apt F
152 Brent Dr. W.
Springfield OH 45505

Through training and experience as a Task Force Officer with U.S. Postal Inspection Service, I know that the Las Vegas, Nevada area is known to be a drug source location.

4. I was able to perform a check in CLEAR for the recipient’s information listed on the Package of Mr. White, Apt F, 152 Brent Dr. W., Springfield OH 45505. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no “Mr. White” or any male with the last name “White” associated with 152 Brent Dr. W. Apt F, Springfield, OH 45505.

5. I was able to perform a check in CLEAR for the sender's information listed on the Package of Mr. Kelly, 1381 E. University Ave., Las Vegas NV 89119 According to CLEAR, there is no "Mr. Kelly" or anyone with the last name "Kelly" currently associated with 1381 E. University Ave, Las Vegas, NV 89119.

6. On November 28, 2023, at the request of the U.S. Postal Inspection Service, K9 Detective Anthony Hutson of the Montgomery County Sheriff's Office conducted a narcotics-detection canine "free air" check of the outside of the Package. An Inspector/TFO was present during said check. Prior to conducting the "free air" check, the Package was placed in a room with multiple similar and like packages. As set forth in the attached affidavit of K9 Detective Hutson, "Hank" alerted positively for the presence or odor of a narcotic or other controlled substance exuding from the Package. "Hank" is a trained and certified narcotics-detection canine.

7. Based on my prior law enforcement training and experience as a United States Postal Inspector, (i) the Package's address information, including the absence of a known association between (a) the listed sender and the listed sender's address and (b) the listed recipient and the listed recipient's address, (ii) the Package being sent from a known drug source location, and (iii) the positive alert of the narcotics-detection canine are all indicative of and consistent with Drugs and/or Proceeds being present in the Package.

Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.

Respectfully submitted,

Sean C. Humphrey

Sean C. Humphrey

Task Force Officer

United States Postal Inspection Service

By telephone
Subscribed and sworn to ~~before me~~ this 28th day of November, 2023.

Caroline H. Gentry
United States Magistrate Judge





UNITED STATES POSTAL INSPECTION SERVICE
PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer Anthony Hutson, am and have been employed by the Montgomery County Sheriffs Office since 1998. Among other duties, I am currently the assigned handler of narcotics detection canine "HANK" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Cocaine, Methamphetamine, Heroin and derivitives

On November 28, 2023, at the request of Postal Inspector TFO Humphrey, I responded to the Dayton PD&C, where "HANK" did alert to and indicate upon:

USPS Priority Mail Express Tracking # EI 908 404 005 US

TO: Mr. White

Apt F.

152 Brent Dr. W

Springfield, OH 45505

FROM: Mr. Kelly

1381 E. University Ave

Las Vegas NV 89119

Which, based upon my training and experience and that of "HANK", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

 /01 11-28-23
(Signature, Badge #, and Date)

 11/28/23
(Witness/Date)

Cincinnati Field Office
895 Central Avenue STE 400
Cincinnati, OH 45202-5748
Telephone: 877-876-2455
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